

Message Text

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ACTION PM-07

INFO OCT-01 EUR-25 ISO-00 INR-10 SS-20 NEA-10 NSC-10

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P 051615Z NOV 73

FM AMEMBASSY BERN

TO SECSTATE WASHDC PRIORITY 8359

INFO CSAF

USCINCEUR

CINCUSAFE

MAC SCOTT AFB ILL

C O N F I D E N T I A L BERN 4486

E.O. 11652: GDS

TAGS: MARR, OCLR, US, SZ

SUBJECT: SWISS OVERFLIGHT CLEARANCES FOR USAF AIRCRAFT

REF: CSAF 031647Z NOV 73

SUMMARY: EMBASSY RECOMMENDS THAT USAF/MAC OVERFLIGHTS OF SWITZERLAND CONTINUE PENDING FURTHER EMBASSY DISCUSSIONS WITH GOS CONCERNING POSSIBLE SWISS EFFORT TO INSPECT AIRCRAFT. END SUMMARY.

1. EMBASSY UNDERSTANDS THAT BECAUSE OF POSSIBILITY THAT SWISS MAY ORDER OVERFLYING USAF/MAC AIRCRAFT TO LAND FOR INSPECTION, MAC FLIGHTS BEGINNING NOVEMBER 5 WILL CIRCUMNAVIGATE SWISS AIR SPACE UNTIL QUESTION RESOLVED (REFTEL). SWISS FEDERAL AIR OFFICE HAD INDICATED TO AIR ATTACHE AND ECONOMIC COUNSELOR THAT SUCH A STEP BEING CONSIDERED TO RESPOND TO INTERNATIONAL PRESSURES GENERATED BY MIDDLE EAST WAR. (SEE BERN A-433, OCT 30, 1973 AND DAO MESSAGES.)

2. SWISS FEDERAL AIR OFFICE HAD INDICATED IN LETTER DATED JULY 2, 1970, AT TIME PRESENT ARRANGEMENT FOR 40 MONTHLY MAC OVERFLIGHTS
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TO AND FROM RHEIN-MAIN WORKED OUT BY USDAO BERN AND FEDERAL AIR

OFFICE, THAT "IN ORDER TO ASSURE OURSELVES OF THE PROPER FUNCTIONING OF THIS NEW REGULATION, WE RESERVE THE RIGHT, IF NECESSARY, TO INSTITUTE CONTROLS." "CONTROLS" INTERPRETED ORALLY BY DR. W. GULDIMANN, DIRECTOR, FEDERAL AIR OFFICE, TO DAO TO MEAN POSSIBLE GROUND INSPECTION OF AIRCRAFT. USAF BY LETTER FROM COL. D.R. LEWIS, DIRECTOR OF AIRLIFT, DATED SEPTEMBER 17, 1970 INFORMED DAO BERN THAT IT ACCEPTED NEW ARRANGEMENTS, INCLUDING POSSIBLE LANDINGS AND INSPECTION BY SWISS. THIS ACCEPTANCE PRESUMABLY CONVEYED GOS ALTHOUGH EMBASSY FILES DO NOT CONTAIN COPY OF ANY WRITTEN COMMUNICATION. SWISS HAVE NEVER SINCE 1970 SOUGHT INSPECT MAC AIRCRAFT.

3. WE UNDERSTAND INFORMALLY FROM SOURCE WITHIN GOS THAT SOME SEGMENTS SWISS GOVERNMENT ARE VERY MUCH CONCERNED ABOUT POSSIBLE ACTION BY FEDERAL AIR OFFICE TO REQUEST USAF AIRCRAFT TO LAND FOR INSPECTION. INTER-AGENCY MEETING WILL REPORTEDLY BE HELD WEEK OF NOVEMBER 5 TO CONSIDER MATTER FURTHER.

4. AIR ATTACHE AND EMBOFF SEEKING APPOINTMENT WITH DR. GULDIMANN OF FEDERAL AIR OFFICE TO DISCUSS MATTER FURTHER. WE PLAN REMIND GULDIMANN ON BASIS REFTEL THAT US IS FIRMLY ATTACHED TO PRINCIPLE OF IMMUNITY OF MILITARY AIRCRAFT FROM INSPECTION BY FOREIGN GOVERNMENT AND BELIEVE THAT MILITARY AIRCRAFT PRESENT IN A COUNTRY WITH ITS PERMISSION ARE EXEMPT FROM SEARCH, SEIZURE, OR INSPECTION BY THE COUNTRY'S AUTHORITIES. WE WILL MAKE CLEAR THAT OUR CONCERN ABOUT POSSIBLE SWISS ACTION IS BASED ON PRECEDENT WHICH WOULD BE ESTABLISHED FOR USE BY OTHER COUNTRIES. WE PLAN ALSO PER PARA 4 REFTEL TO SUGGEST THAT SWISS CONCERN COULD PERHAPS BE SATISFIED BY OCCASIONAL VISITS OF GOS OFFICIALS TO RHEIN-MAIN TO OBSERVE LOADING OF AIRCRAFT. WE ALSO PLAN ASSURE GULDIMANN THAT MAC AIRCRAFT INVOLVED ARE NOT ENGAGED IN TRANSPORT OF TROOPS, MILITARY UNITS, OR CARGO DESTINED FOR ACTIVE THEATER OF WAR, BUT ARE UTILIZED TO TRANSPORT PASSENGERS, FREIGHT (EXCLUDING ALL WAR MATERIEL) AND SICK OR WOUNDED PERSONNEL.

5. EMBASSY BELIEVES THAT THREAT OF REQUEST FOR LANDING AND INSPECTION WILL NOT BE CARRIED OUT WITHIN NEXT FEW DAYS. WE ARE, HOWEVER, CONCERNED THAT US DECISION TEMPORARILY SUSPEND MAC OVERFLIGHTS OF SWITZERLAND MIGHT BE INTERPRETED BY SWISS INCORRECTLY, MAKE MORE DIFFICULT RESOLUTION THIS MATTER, AND CONFIDENTIAL

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PERHAPS MAKE IMPOSSIBLE RESUMPTION OVERFLIGHTS OF SWITZERLAND AT SOME FUTURE TIME WHEN OVERFLIGHTS MIGHT BECOME IMPERATIVE. WE THEREFORE RECOMMEND FLIGHTS CONTINUE AT LEAST FOR TIME BEING WHILE WE EXPLORE MATTER FURTHER WITH GOS.
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